SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Index No. 20452/91
IAS PART (Sherman, J.)

THE DIME SAVINGS BANK OF NEW YORK, FSB,

Plaintiff,

—against—

ANNE M. GLAVEY, THE BOARD OF MANAGERS OF THE HARDENBROOK HOUSE CONDOMINIUM,

Defendants.

NOTICE OF ENTRY

PLEASE TAKE NOTICE that the within is a true copy of an order duly entered in the office of the City Register of New York County on November 20, 1991.

Dated: New York, New York
December 26, 1991

Yours, etc.

BROWN RAYSMAN & MILLSTEIN
Attorneys for Plaintiff
THE DIME SAVINGS BANK OF NEW YORK, FSB
120 West 45th Street
New York, New York 10036
(212) 944-1515

SUPREME COURT: NEW YORK COUNTY

Index No. 20452/91
IAS PART 19
#24 OF 11/1/91

THE DIME SAVINGS BANK OF NEW YORK, FSB,

Plaintiff,

—against—

ANNE M. GLAVEY, THE BOARD OF MANAGERS OF THE HARDENBROOK HOUSE CONDOMINIUM, AND "JOHN AND/OR JANE DOE #10, INCLUSIVE, THE LAST TEN NAMES BEING FICTITIOUS AND UNKNOWN TO PLAINTIFF, THE DEFENDANTS INTENDED TO BE THE TENANTS, OCCUPANTS, PERSONS OR CORPORATIONS, IF ANY, HAVING OR CLAIMING AN INTEREST IN OR LIEN UPON THE PREMISES DESCRIBED IN THE COMPLAINT, THEIR TRUE NAMES BEING UNKNOWN TO PLAINTIFF,

Defendants.

BURTON S. SHERMAN, J.:

The defendant, pro se, mortgagor seeks an order extending her time in which to file an answer. The plaintiff, mortgagee, in this foreclosure action, alleges that it served the summons and complaint on defendant on September 11, 1991.

While it appears that defendant alleges that service of process was improper, she also seeks an extension of time in which to answer alleging that she first became aware of this action on October 2, 1991.

The defendant seeks an extension of 90 days in which to file her answer due to the fact that she is a stewardess and is also in the process of changing jobs.

While this court may sympathize with defendant, such is not a legal basis for extending defendant's time in which to answer the complaint.

This court will, however, grant defendant an order extending her time to answer and/or move with respect to the complaint for a period of 30 days from service by plaintiff of a copy of this order with notice of entry upon defendant, pro se.

So ordered.

Dated: November 12, 1991

s/ Burton S. Sherman
J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Index No. 20452/91
IAS PART (Sherman, J.)

THE DIME SAVINGS BANK OF NEW YORK, FSB,

Plaintiff,

—against—

ANNE M. GLAVEY, THE BOARD OF MANAGERS OF THE HARDENBROOK HOUSE CONDOMINIUM,

Defendants.

AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

LILA E. GASTON, being duly sworn, deposes and says:

6. I am over eighteen years old, am not a party to this action and reside at 170 Laurel Avenue, Irvington, New Jersey 07111.

7. On December 26, 1991, I served a true copy of the Notice of Entry and order herein by mailing the same in a sealed envelope with the postage paid thereon, in an official depository on the U.S. Postal Service, located within the State of New York, addressed to the last known address of the addressees as indicated below:

ANNE M. GLAVEY
P.O. Box 1514
New York, New York 10008-8905

and -

404-418 East 66th Street, Unit 12A
New York, New York 10021

Horing & Welikson
Attorneys for Defendant
THE BOARD OF MANAGERS OF
THE HARDENBROOK HOUSE CONDOMINIUM
8 Haven Avenue
Port Washington, NY 11050

s/ Lila E. Gaston

Sworn to before me this
__ day of December, 1991

s/ Melanie Finkel
Notary Public

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York, on August 3, 1995

Present—Hon. Joseph P. Sullivan, Justice Presiding
Ernst H. Rosenberger
Richard W. Wallach
Sidney H. Asch
Milton L. Williams, Justices

Index No. 20452/91
M-1981

THE DIME SAVINGS BANK OF NEW YORK,

Plaintiff-Respondent,

—against—

ANNE M. GLAVEY,

Defendant-Appellant,

THE BOARD OF MANAGERS OF
THE HARDENBROOK HOUSE CONDOMINIUM,

Defendant.

The above-named defendant-appellant having moved for reargument of, or leave to appeal to the Court of Appeals from, the Decision and Order of this Court entered herein on April 18, 1995 (Appeal No. 54541), unanimously affirming an

order and judgment (one paper), Supreme Court, New York County, entered on March 8, 1994,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that said motion be and the same hereby is denied, with $100 costs.

ENTER:

s/ Catherine O'Hagan Wolfe
Clerk

STATE OF NEW YORK
COURT OF APPEALS

At a session of the Court, held at Court of Appeals Hall in the City of Albany on the thirty day of November, 1995

PRESENT, Hon. Judith S. Kaye, Chief Judge, presiding.

1-10 Mo. No. 1259

THE DIME SAVINGS BANK OF NEW YORK,

Respondent,

—against—

ANNE M. GLAVEY,

Appellant,

THE BOARD OF MANAGERS OF
THE HARDENBROOK HOUSE CONDOMINIUM,

Defendant.

A motion for leave to appeal to the Court of Appeals in the above cause having heretofore been made upon the part of the appellant herein and papers having been submitted thereon and due deliberation having been thereupon had, it is

ORDERED, that the said motion be and the same hereby is denied with one hundred dollars costs and necessary reproduction disbursements.

s/ DONALD M. SHERAW
Donald M. Sheraw
Clerk of the Court